Ser. No.: 09/772,000

REMARKS

In accordance with the foregoing, the specification and claims 1-20 are amended. Claims 21-24 are presented. No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended and new claims are respectfully requested.

Claims 1-24 are pending and under consideration.

According to an aspect of the present invention, a destination of text messages and transmission modes is changed in accordance with a user status.

According to an aspect of the present invention, transmission modes of text messages are determined in accordance with an operational status of an information terminal that is a destination of received text messages, and an operational status of information terminals is detected and a server notified of the same. Thus, by processing in the servers an operational status of each terminal, enables the server receiving text messages addressed to information terminals, determining transmission modes of the text messages in accordance with an operational status of the information terminal, and sending text messages automatically to suitable information terminals in accordance with the stored operational status.

According to aspects of the present invention, a text message can be received in a suitable information terminal in accordance with the operational status of the information terminals even though a user has not determined a destination of the text messages in advance.

Yamaguchi (U.S.P. 6,519,471) teaches a system, which when received mail meets predetermined conditions, the received mail is transmitted to a predetermined destination.

ITEM 2, PAGES 2-3: REJECTION OF INDEPENDENT CLAIM 1 UNDER 35 U.S.C. §102(e) BY YAMAGUCHI (U.S.P. 6,519,471)

The Examiner rejects claim 1 under 35 U.S.C. §102(e) as anticipated by Yamaguchi.

Independent claim 1 recites a text messaging system including "status detection means provided in the information terminals for detecting and reporting to the servers an operational status of the information terminals including at least a status of the connection with the communication lines; . . . ; status administration means provided in the servers for storing, per user of any one of the information terminals, the operational status of the information terminals reported from said status detection means; (and) decision means provided in the servers for referring to the information terminal operational status stored by the status administrations means of an information terminal that is a destination of the text message received from the information terminal, and for deciding transmission modes for the received text messages according to the information terminal operational status."

12

As provided in MPEP §706.02 entitled Rejection on Prior Art, anticipation requires that the reference must teach every aspect of a claimed invention. Yamaguchi does not support an anticipatory-type rejection by not describing features recited in the present application's independent claims.

Applicants submit that Yamaguchi does not teach features recited by independent claim 1, in the lines cited by the Examiner, or anywhere else. For example, Yamaguchi does not teach a status detection means detecting and reporting an operational status of information terminals, but rather teaches detection of a mail address. (See, for example, Yamaguchi, lines col. 19, lines 54-65).

Further, Yamaguchi does not teach a status administration means storing, per user of any one of the information terminals, the operational status.

As another example, Yamaguchi does not teach a decision means "referring to the information terminal operational status . . . for deciding transmission modes for the received text messages."

Yamaguchi teaches transmitting text messages to a predetermined destination. For example, Yamaguchi teaches (col. 2, lines 20-25):

> an electronic mail which is detected as the specific mail among received electronic
> mails is transmitted to a predetermined destination (an address to be transmitted
> or to be transferred) which is preset.

Conclusion

Since Yamaguchi does not teach features recited in claim 1, the rejection should be withdrawn and claim 1 allowed.

ITEM 2, PAGES 4-9: REJECTION OF INDEPENDENT CLAIM 2 (AND DEPENDENT CLAIMS 3-11) UNDER 35 U.S.C. §102(e) BY YAMAGUCHI

The Examiner rejects independent claim 2, and claims 3-11 dependent thereon, under 35 U.S.C. §102(e) as anticipated by Yamaguchi. (Action at pages 4-9).

Independent claim 2 recites a text messaging system including " status detection means in the information terminal for detecting and reporting to the server an operational status of the information terminals including at least a status of the connection with the communications line; . . . status administration means provided in the server for holding, per user of the information terminal, an information-terminal operational status reported from said status detection means; and decision means provided in the server for referring to the information terminal operational status stored by the status administration means of an information terminal that is a destination of the text message received from the information terminal, and for deciding transmission modes for the received text messages according to the information terminal operational status."

Applicants submit that Yamaguchi does not teach features recited by claim 2 including

"detecting and reporting to the server an operational status of the information terminals including at least a status of the connection with the communications line."

Yamaguchi, rather, teaches detection of a mail address. (See, for example, Yamaguchi, lines col. 19, lines 54-65).

Further, Yamaguchi does not teach "decision means provided in the server for referring to the information terminal operational status stored by the status administration means of an information terminal that is a destination of the text message received from the information terminal, and for deciding transmission modes for the received text messages according to the information terminal operational status."

Yamaguchi teaches (col. 2, lines 20-25), rather, transmitting text messages to a predetermined destination.

Conclusion

Since Yamaguchi does not teach features recited in independent claim 2 (and claims 3-11 dependent thereon), the rejections should be withdrawn and claims 2-11 allowed.

ITEM 2, PAGE: REJECTION OF INDEPENDENT CLAIMS 12 (AND DEPENDENT CLAIM 13), AND INDEPENDENT CLAIMS 14-20 UNDER 35 U.S.C. §102(e) BY YAMAGUCHI

The Examiner rejects independent claim 12 (and dependent claim 13), and independent claims 14-20 under 35 U.S.C. §102(e) as anticipated by Yamaguchi. (Action at page 9).

Independent claim 12 recites a text messaging system including "status detection means provided in the information terminal for detecting and reporting to the first server an operational status of the information terminals including at least status of connection with the communications line;(and) status administration means provided in the first server for gathering and holding, per user of the information terminals, an information-terminal operational status from the information terminal."

Independent claim 14 recites "status detection means for detecting and reporting to the servers an operational status of the information terminals including at least status of a connection with the communications lines."

Independent claim 15 recites a text-messaging server including "status administration means for receiving and holding, per user of the information terminal, an operational status from the information terminal; and decision means for referring to the information terminal operational status stored by the status administration means of an information terminal that is a destination of the text message received from the information terminal, and for deciding transmission modes for the text messages according to the information terminal operational status."

14

Independent claim 16 recites a computer-readable recording medium storing a program for executing "detecting and reporting to the servers an operational status of the information terminals including at least status of a connection with the communications lines."

Independent claim 17 recites a computer-readable recording medium on which is stored a program for executing "deciding text message transmission mode according to the operational status of the information terminal; and transmitting text messages from the information terminals to destination information terminals according to the decided text transmission mode."

Independent claim 18 recites a text messaging method including "deciding a transmission mode for the received text messages according to the held operational status of the information terminal; and transmitting and receiving text messages by way of the server between the mobile terminal and the destination information terminal, or between the mobile terminal and another mobile terminal, wherein the system includes a plurality thereof, or between the information terminal and the destination information terminal, wherein the system includes a plurality thereof, according to the decided transmission modes."

Independent claim 19 recites a text message transmission and reception method including "detecting and reporting to the servers an operational status of the information terminals including at least status of a connection with the communications lines."

Independent claim 20 recites a text-messaging administration method "deciding a transmission mode for the received text messages according an operational status of the information terminal that is a destination of the text message received from the information terminal; and transmitting the received text messages to another mobile terminal or another information terminal according to the decided transmission modes."

Applicants submit that Yamaguchi does not teach features recited by 12, and 14-20. Yamaguchi does not teach "detecting and reporting" to a server an "operational status" as recited by claims 12, 14, 16, 18, and 19. Yamaguchi does not teach deciding text message transmission mode as recited by claims 12, 14-18, and 20.

Yamaguchi, rather, teaches (col. 19, lines 54-65) detection of a mail address and teaches (col. 2, lines 20-25) transmitting text messages to a predetermined destination.

Conclusion

Since Yamaguchi does not teach features recited in independent claim 12 (and dependent claim 13), and independent claims 14-20, the rejections should be withdrawn and claims 12-20 allowed.

Ser. No.: 09/772,000

NEW CLAIMS

New claims 21-24 present no new matter and are provided to afford a varying scope of protection.

Claims 21 and 22 recite a text messaging system including a plurality of information terminals, and servers connected to the information terminals via communication lines, including "status detection means provided in the information terminals for detecting and reporting to the servers an operational status of the information terminals including at least a status of a connection with the communication lines; and status administration means provided in the servers for storing, per user of any one of the information terminals, an operational status of the information terminals reported from the status detection means."

Claims 23-24 recite a text messaging system including a plurality of information terminals and servers connected to the information terminals via communication lines, including "a detector detecting and reporting to the servers an operational status of the information terminals including at least a status of the connection with the communication lines;. . .(and) a controller storing, per user of any one of the information terminals, the operational status of the information terminals reported from said status detection means."

These, and other, features of claims 21-24 are patentably distinguishable over the cited art, and they are submitted to be allowable for the recitations therein.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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16